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3 **UNITED STATES DISTRICT COURT**

4 EASTERN DISTRICT OF CALIFORNIA

5
6 ROSS DANIEL WALKER,

7 Plaintiff,

8 v.

9 CHILD PROTECTIVE SERVICES, et al.,

10 Defendants.

11 CASE NO. 1:22-cv-00466-AWI-SKO

12
13 **ORDER ADOPTING FINDINGS AND
RECOMMENDATION TO DISMISS FOR
PLAINTIFF'S FAILURE TO COMPLY
WITH THE COURT'S ORDERS AND
FAILURE TO PROSECUTE**

14
15 **(Doc. No. 9)**

16 Plaintiff Ross Daniel Walker is proceeding *pro se* and *in forma pauperis* in this action. (See
17 Doc. No. 6.) Plaintiff filed his complaint in the United States District Court for the Eastern District
18 of New York on April 11, 2022. (Doc. No. 1). The case was transferred, *sua sponte*, to this Court
19 on April 19, 2022. (See Doc. No. 4.)

20 On May 24, 2022, the assigned magistrate judge issued a screening order finding that
21 Plaintiff's complaint failed to state any cognizable claims and granting leave for Plaintiff to file an
22 amended complaint within thirty days. (Doc. No. 7.) To date, Plaintiff has not filed an amended
23 complaint or requested an extension of time in which to do so.

24 On July 12, 2022, an order issued for Plaintiff to show cause ("OSC") within thirty days why
25 the action should not be dismissed for his failure to comply with the Court's screening order and for
26 failure to prosecute this case. (Doc. No. 8.) Plaintiff was warned in both the screening order and
27 the OSC that the failure to comply with the Court's order would result in a recommendation to the
presiding district judge of the dismissal of this action. (*Id.* See also Doc. No. 7.) Plaintiff did not
respond to the OSC.

28 On August 18, 2022, the assigned magistrate judge issued findings and recommended that

1 the case be dismissed with prejudice for failing to comply with the court's screening order and the
2 order to show cause and for failure to prosecute. (Doc. No. 9.) Plaintiff was granted thirty (30)
3 days in which to file objections to the findings and recommendation. (*Id.*) No objections have been
4 filed.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
6 *de novo* review of the case. Having carefully reviewed the entire file, the court finds that the findings
7 and recommendation are supported by the record and proper analysis.

ORDER

Accordingly, IT IS HEREBY ORDERED that:

IT IS SO ORDERED.

Dated: October 5, 2022


SENIOR DISTRICT JUDGE